

08-31-00  
10/11 A  
jc895 U.S. PTO  
09/651150  
08/30/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

00/06/00  
jc894 U.S. PTO  
08/30/00

Key: No. A-65679-1/RMS/DHR

Anticipated Classification of  
this Application:

Class: Subclass:

Prior Application:

Examiner: S. Houtteman

Art Unit: 1656

**Box PATENT APPLICATION FEE**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing an

☐ Original

☒ Continuation

☐ Divisional

☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Donald Payan, for  
TOSO AS A TARGET FOR DRUG SCREENING. This ☒ continuation ☐ divisional  
☐ continuation-in-part claims priority to pending application Serial No.  
09/050,861, filed on March 30, 1998.

1. (a) ☐ Enclosed is a new application.  
(b) ☐ Enclosed is a continuation-in-part application.  
(c) ☒ Enclosed is a copy of the prior application.

2. (a) ☐ Enclosed is a new Declaration.

"EXPRESS MAIL" MAILING LABEL  
NUMBER EK 996 771 572 US

DATE OF DEPOSIT August 30, 2000

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE  
UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME Vince Diaz

SIGNED Vince Diaz

(b) X Enclosed is a copy of the prior executed Declaration as originally filed.

(c)      Enclosed is a Combined Declaration/Power of Attorney.

3. (a) X Enclosed is a copy of the executed Small Entity Affidavit.  
(b) X A Small Entity Affidavit is of record in the prior application.

4. X The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY			OTHER THAN A SMALL ENTITY	
FOR:			RATE	FEE	OR	RATE	FEE
BASIC FEE				\$345	OR		\$690
TOTAL CLAIMS	<u>20</u> -20 =	* <u>0</u>	x 9 =	\$ <u>    </u>	OR	x18 =	\$ <u>    </u>
INDEP CLAIMS	<u>3</u> -3 =	* <u>0</u>	x39 =	\$ <u>    </u>	OR	x78 =	\$ <u>    </u>
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED			+130 =	\$ <u>    </u>	OR	+260 =	\$ <u>    </u>
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			TOTAL	\$ <u>345</u>	OR TOTAL		\$ <u>690</u>

5. X The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-65679-1/RMS/DHR).

6. X Our check in the amount of \$ 345.00 is enclosed.

7.      Cancel in this application original claims                      of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. X Amend the specification by inserting before the first line the sentence:

--This is a continuation of application Serial No. 09/050,861 filed March 30, 1998.

9. (a)      Informal drawings are enclosed,      sheets.  
(b) X Formal drawings are enclosed, 10 sheets.

10. (a) \_\_\_\_\_ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_  
\_\_\_\_\_ in \_\_\_\_\_ is claimed under 35  
U.S.C. 119.
- (b) \_\_\_\_\_ The certified copy has been filed in prior application  
Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.
11. \_\_\_\_\_ An Assignment is enclosed.
12. X \_\_\_\_\_ The prior application is assigned of record to Rigel  
Pharmaceuticals, Inc.
13. X \_\_\_\_\_ The power of attorney in the prior application is to:  
FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero, Suite 3400  
San Francisco, CA 94111
- (a) X \_\_\_\_\_ The power appears in the original papers in the prior  
application and an executed copy is enclosed.
- (b) \_\_\_\_\_ Since the power does not appear in the original papers, a copy  
of the power in the prior application is enclosed.
- (c) X \_\_\_\_\_ Address all future communications to:  
FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero, Suite 3400  
San Francisco, CA 94111
15. \_\_\_\_\_ A preliminary amendment is enclosed. (Claims added by this  
amendment have been properly numbered consecutively beginning  
with the number next following the highest numbered original  
claim in the prior application.)
16. \_\_\_\_\_ A Prior Art Statement is enclosed.

17. X

I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/050,861 as originally filed on March 30, 1998.

Date:

8/30/00

Robin M. Silva

Robin M. Silva

Reg. No. 38,304